

ASUM SENATE AGENDA  
August 25, 1993  
6:00 P.M.  
UC 114

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes - April 28, 1993
4. Public Comment
5. President's Report
  - a. Collective Bargaining Update
  - b. Committee Structure
  - c. Assistant SPA Directors
  - d. Senate Confirmation - Jerry Johnson
  - e. Extracurricular Extravaganza
  - f. Bond Issue
  - g. Higher Education Restructuring
  - h. September Board of Regents Meeting
6. Vice President's Report
  - a. Committee Assignments
7. Business Manager's Report
8. Committee Reports
9. Old Business
  - a. Resolution to Provide A Permanent Funding Source for UM Advocates and Consistent Funding for Escort Services.
  - b. Resolution for a Referendum to Change the Constitutional Dates for the ASUM General Election
10. New Business
11. Comments
12. Adjournment

## ASUM SENATE TALLY SHEET

DATE August 25, 1993SENATE MEMBERS

JOSH ARNOLD  
 ELDENA BEAR DON'T WALK  
 DONIELLE BOYLE  
 JAMES BROWN  
 TIM CROWE  
 MOHAMMAD FAROOQUI  
 SHAWN FAST  
 ALLISON GRANT  
 BETTY GREGORY  
 JODY HAMMOND  
 EVAN KATZMAN  
 HILARY KUNTZ  
 JON LINDSAY  
 MICHELE MATHER  
 JENNIFER PANASAUK  
 ALISON REDENIUS  
 TANA ROGERS  
 TERESA SCHLOSSER  
 LEWIS YELLOW ROBE

ROLL  
CALLSuggested  
by Jails  
Comments

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ASUM OFFICERS

J. P. BETTS  
 President  
 JOLANE FLANIGAN  
 Vice-President  
 ED HOFFMAN  
 Business Manager

P	y	y							
P	-	y							
P	y	y							

FACULTY ADVISORS

PROFESSOR AUSLAND

P	-	y							
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ASUM SENATE MINUTES

August 25, 1993

UC 114

6:00 p.m.

Chair Flanigan called the meeting to order at 6:03 p.m. Present: Betts, Flanigan, Hoffman, Arnold, Bear Don't Walk, Boyle, Brown, Crowe, Farooqui, Fast, Grant, Gregory, Hammond, Katzman, Kuntz, Lindsay, Mather, Panasuk, Redenius, Rogers, Schlosser, Yellow Robe.

The minutes of the April 28 meeting were approved as written.

**Public Comment**

- \*Gerald Johnson supported Betts and praised his enthusiasm and good work as a past ASUM Senator and President.
- \*Jennifer Alderson commended Betts on his tenacity and leadership.
- \*Erica Davis supported Betts and commended him on his leadership in office.
- \*Amanda Cook commended Betts for his summer work and good momentum.
- \*George Bessette, recent graduate, supported Betts and stressed forgiveness.
- \*Shelly Thompson gave support for a confidence vote.
- \*Katie Neville, recent graduate, previously worked with Betts and suggested he keep a low profile but stay in office.
- \*Russell Neville supported Betts, suggested forgive, forget and move on.
- \*Adam Benton urged support for Betts, feeling he has student interest at heart, cited Senate as "dream team."
- \*Gina Hegg praised Betts for leadership and involvement
- \*Dwight Welch urged Senators to consider the results with regard to integrity and hampering, depending on their pro/con vote of confidence.
- \*Amy Castle opposed Betts staying in public office.
- \*Pete Aklestad supported Betts' tenacity and caring attitude.
- \*Jeff Cable stated Betts' action was resolved in court and asked Senate to support him.
- \*Ross Best criticized meeting location (small) for type of meeting. (Note: Scheduling problems were a result of registration and were made many months in advance.) Best felt he was committed person and suggested he resign and fill another slot when open.
- \*Chris King urged Senate to make the decision a consensus.

**President's Report**

- a. Pat McCleary will give an overview of UTU collective bargaining Wednesday, September 1, at 5:30 p.m. in Betts' office.
- b. Committee structure information is postponed until next week.
- c. An ad for assistant SPA will be in the Kaimin with a Sept. 10 deadline.
- d. A nomination motion to appoint Jerry Johnson as SPA Director was made (Betts) and seconded. Motion passed.
- e. The Extracurricular Extravaganza is being put on by the Advocates this year and will be Thurs., Sept. 2, in the UC atrium from 11-2.
- f. Shane Coleman, student regent, informed Betts that the bond issue will be voted on at the September Regents' meeting. Betts suggested that the Senate pass a resolution in support (Exhibit A).
- g. A detailed outline on higher education restructuring will hopefully be forthcoming before the Regents' meeting.
- h. MAS will be meeting in Billings during the Board of Regents' meeting to be held Sept. 23 and 24 in Billings.

### Vice President's Report

- a. See Flanigan or leave a message if interested in serving on a committee.

### Business Manager's Report

- a. Hoffman reviewed Fiscal Policy for Senate and announced following balances: Special Allocations - \$10,000 for year; STIP - approx. \$21,500; carryover - approx. \$14,000. Four students-at-large are needed for Budget and Finance Committee.

Betts distributed Bear Facts books donated by Bryan Thornton of UC Bookstore.

### Committee Reports - None

### Old Business

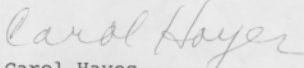
- a. Resolution to Provide a Permanent Funding Source for UM Advocates and Consistent Funding for Escort Services - tabled.
- b. Resolution for a Referendum to Change the Constitutional Dates for the ASUM General Election - tabled.

### New Business

- a. **Betts** introduced a Resolution of Compromise (Exhibit B). It was moved (**Betts**) and seconded to suspend the Bylaws to consider the resolution. Motion passed 16-5 on a roll call vote. After questions and discussions, a motion was made (**Crowe**) and seconded to table. Motion passed.
- b. **Arnold** introduced a Resolution for a Vote of No Confidence. It was moved (**Lindsay**) and seconded to suspend the Bylaws to consider the resolution. Motion passed. A friendly amendment by **Hoffman** to assume confidence if the Resolution for a Vote of No Confidence failed was rejected by **Arnold** and immediately reoffered as an amendment (**Hoffman**) and seconded. A friendly amendment by **Redenius** that if the vote of no confidence passes to ask **Betts** to resign was rejected by **Hoffman** and immediately reoffered as an amendment (**Redenius**) and seconded. Previous question was called (**Arnold**). An immediate vote on the Redenius amendment passed. During the discussion on the Hoffman amendment as amended, **Grant** offered a letter expressing his feelings and asked that it be entered into the minutes (Exhibit C). It was moved (**Redenius**) and seconded to table the resolution and amendment until it goes through committee and there is further opportunity for public comment. The motion passed 11-10.
- c. Resolution to Establish a Conduct Code for ASUM
- d. Resolution to Support Bond Issue at Board of Regents' Meeting

### Comments

The meeting was adjourned at 9:45 p.m.

  
Carol Hayes  
ASUM Office Manager

July 9, 1993

ITEM 80-113-R0793

Authorization to Proceed, Series 1993 Refunding and New Money Issue, The University of Montana, Missoula and Western Montana College of The University of Montana, Dillon

THAT,

the Board of Regents of the Montana University System authorizes the Office of the Commissioner of Higher Education and the administration of the Missoula and Dillon campuses of The University of Montana to proceed with a) the planning for the refunding of the outstanding debt of both institutions, and b) a new money issue providing proceeds for the following auxiliary projects:

The University of Montana, Missoula

Family Housing Apartment Complex	\$7,272,000
Land Acquisition and Foot Bridge	1,650,000
Parking Lot Expansion	900,000
Parking Lot Renovation	1,000,000
Residence Hall Renovations	8,000,000
200 Bed Residence Hall	7,000,000
University Center Asbestos Removal & Renovation (including Cold/Dry Storage)	4,000,000

Western Montana College of The University of Montana, Dillon 2,874

Student Union Renovation	\$500,000
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The authorization to proceed applies to planning only and requires the Office of the Commissioner of Higher Education and the President of The University of Montana to obtain authorization from the Board of Regents prior to any pricing of either the refunding or new issue or prior to any formal agreements for refunding or the new money issue.

NOTE:

The Board of Regents is authorized by MCA 20-25-302 to "purchase, construct, equip, or improve . . . (a) land; (b) residence halls, dormitories, houses, apartments, and other housing facilities; (c) dining rooms and halls, restaurants, cafeterias, and other food service facilities; (d) student union buildings and facilities. . . ." Furthermore, the Board of Regents is authorized by MCA 20-25-402 to issue revenue bonds for the purposes identified in MCA 20-25-302. In 1988, the Board of Regents authorized the remodeling of the Student Union Building at Western Montana College of The University of Montana, Dillon and, in 1989, the Montana Legislature approved the project along with \$50,000 from general obligation bond proceeds.

## EXECUTIVE SUMMARY

### PROPOSED REFUNDING AND NEW BOND ISSUE REQUEST TO BOARD OF REGENTS

The University of Montana, Missoula  
Western Montana College, The University of Montana, Dillon

Authorization is requested to proceed with planning for a) the refunding of the Series 1985A, 1985B, 1987A and 1987B bond issues, b) a new money issue providing proceeds for seven auxiliary capital construction projects at The University of Montana, Missoula, c) the refunding of the Series 1966 and 1967 at Western Montana College of The University of Montana, Dillon, and d) a new money issue providing proceeds for miscellaneous auxiliary capital construction projects at Western Montana College of The University of Montana, Dillon.

The authorization to proceed will permit the Office of the Commissioner of Higher Education, along with representatives of The University of Montana, Missoula and Western Montana College of The University of Montana, Dillon, to take such actions as may be necessary and appropriate to a) perform financial feasibilities of the refunding of outstanding revenue bond debt and new money issues for specified projects, and b) prepare such documents as are required and necessary for the refunding and new money issues. The request for authorization to proceed would also permit the Office of the Commissioner of Higher Education and the campus administrative officers to utilize the public finance services of Smith Barney, Harris Upham & Co., and D.A. Davidson, and the bond counsel services of Michael W. McCall of the law firm of Carroll, Burdick & McDonough, who served as bond counsel on the Series 1987A and 1987B bond issue at The University of Montana, Missoula.

The authorization to proceed further requires the Office of the Commissioner and the President of The University of Montana to obtain authorization from the Board of Regents prior to a) any pricing of the refundings or new money issues or b) any formal agreements for refunding the outstanding debt or securing proceeds from a new money issue.

#### Refunding and New Money Issue, The University of Montana

In the fall of 1992, President G. M. Dennison appointed a task force at The University of Montana, Missoula "to evaluate projects to be funded from the proceeds" of a prospective bond issue.

The Task Force considered campus requests which totaled over \$77 million. Each project was reviewed with University Officers who had submitted them for consideration, and a

public forum was held on May 4, 1993 to receive public comment on the proposed projects.

During its deliberations, the Task Force was assisted by information provided at no cost to the University by Smith Barney, an investment banking firm. Smith Barney provided the Task Force with a report on the "Credit and Debt Capacity Analysis, The University of Montana," and Marshall Crawford, a Smith Barney Vice President in the Public Finance Division, met with the Task Force for the purpose of reviewing the "Credit and Debt Capacity Analysis" and discussing the issues which should be addressed by the Task Force.

The report of Smith Barney concludes the "we believe the University can prudently issue \$30 million of additional bonds without placing undue strain on its financial operations."

The effect of the individual projects on student fees and charges was a major concern of the Task Force. Utilizing preliminary information from Smith Barney on increases to annual debt service obligations, the Task Force asked the directors of selected University departments to comment on how such information would modify their proposals. The Task Force utilized the responses from the directors in the development of the final recommendations.

Two other documents were available to the Task Force. The 1992 study by John McQuiston of "STUDENT HOUSING; Its Availability and Affordability" and the 1992 report of Paul Wilson, Rina Ghose, and Lisa Wulkan on "MISSOULA HOUSING: STOCK AND SUPPLY."

The Campus Development Committee endorsed the final recommendations of the Task Force. The following projects recommended by the Task Force, the Campus Development Committee and the University Administration are presented for consideration by the Board of Regents:

Family Housing Apartment Complex	\$7,272,000
Land Acquisition and Foot Bridge	1,650,000
Parking Lot Expansion	900,000
Parking Lot Renovation	1,000,000
Residence Hall Renovations	8,000,000
200 Bed Residence Hall	7,000,000
University Center Asbestos Removal & Renovation (including Cold/Dry Storage)	4,000,000

Preliminary consideration has also been given to the refunding of the Series 1985A, 1985B, 1987A, and 1987B bond issues. The refunding could result in a reduction of the University's existing debt service requirements (\$16 million) could result in the updating of the bond covenants, and could assist the University to achieve maximum benefits from a new money issue.

internal MEMORANDUM

Date: August 24, 1993  
To: ASUM Senators  
From: J.P. Betts, ASUM President *JP*  
Re: Resolution of compromise

In the interests of resolving this issue that has divided the Senate, I am offering this resolution of compromise. It won't satisfy everyone, but I hope it will satisfy the majority. I don't want to see this organization split wide open from the start. We were elected in a political sense. Now we must govern, with the interests of the entire student body in mind. There are Senators who will be satisfied with nothing less than my resignation. There are Senators who believe that I have done all that I should do to make amends. This will be a compromise that seeks to bridge the gap between them.



WHEREAS, the President of the Associated Students of The University of Montana has been charged and pled guilty to a misdemeanor charge of theft in his private employment and,

WHEREAS, this act has brought shame and embarrassment upon ASUM, the University, and the Presidency and,

WHEREAS, it is in the best interests of ASUM to speak out over this incident , that therefore be it

RESOLVED, that the Associated Students of the University of Montana are in agreement with the President of the Associated Students of the University of Montana that the following should occur:

- 1) That the President be suspended ~~without pay~~ for a period of two weeks, this time period to begin on the first of October,
- 2) That the Senate does formally reprimand the President over the inappropriateness of his actions,
- 3) That the President shall donate one hour of his own time per week to a student support activity of his choosing,
- 4) That the Senate does affirm and support the President of the Associated Students of the University of Montana, and expresses a desire to move forward with the agenda and goals of the coming year.

8/25/93

Exhibit C

Tonight we must decide <sup>something</sup> ~~something~~ serious, and this decision may well outweigh any other one in the coming year. For at stake is the future of both ASUM and that of a man, many of us have, and do, call friend.

We are faced with a question of justice and integrity. And the answer we find will reflect our own integrity and that of ASUM as an organization fit to serve students. I hope that rather than serving as a firing squad or as "yes" people, we can be somewhat impartial in this area. For if we are, I believe few of us would permit a confessed thief who plea bargained his way out of a felony rap and admitted his multiple thefts not when first questioned but only after being faced with indisputable video evidence, I believe that few of us would support his continuation as president.

Yet we are seriously considering doing just that. There are several reasons that people present for keeping J.P. at the helm of ASUM.

People say he deserves a second chance. Who hasn't made a mistake? But this is not really about a second chance. This is about facing the consequences of his chosen actions-- thefts and dishonesty, that were committed while in office as president.

Some say that to change ships now would be chaotic. Well, unfortunately, this was never supposed to be a vision of order, and judging from virtually every student government I have witnessed or participated in, chaos is rarely a stranger. Also, this argument misses the point of whether a thief who steals repeatedly and then lies about it is really a good representative of our student body.

Another point we <sup>hear</sup> ~~here~~ is that he is such a good president, somehow to lose him would be a shame. It will be but once again this skirts the important question. I wonder if we would kick out a bad president who repeatedly stole from his employer, got caught, denied and lied about his theft then cleverly plea bargained a misdemeanor instead of the alternative felony charge. Would we kick that president out? What if she was an average president. Unfortunately for us, and J.P., the quality of the president cannot be the question. We owe it to our constituents to be fair and not be swayed by how nice, well-connected, popular, or pretty our president is. Otherwise, we are doing an unacceptable job of serving the students here.

Finally we hear that justice has been served in the courts and perhaps we ought to keep our hands out of that area. Unfortunately, J.P. dropped the entire question in our laps when he failed to do the honorable thing, resign and prepare another president, preventing the current situation from ever happening. As a side note I find his refusal to resign in strange conflict with the quickie plea bargain he jumped at instead of facing the court to prove his supposed partial innocence. He claims the harder and more honorable road is to face the students and us and defend his presidency. However, I believe the only honorable course of action, which he refuses to take, would be to acknowledge the fact that a thief is not the best representative of our 10,000 students and resign instead of proudly dumping this mess in our laps and challenging us to share the pile. But who says there's honor amongst thieves. I digress. To return to

leaving justice to the justice system, I have to wonder if our hands would remain tied at every offense. Why couldn't a kidnapper, rapist, or murderer serve as president so long as he or she was facing the court system. Indeed, <sup>these</sup> ~~there~~ are far more serious offenses than are J.P.'s. But in my mind, none are as directly related to heading an organization entrusted with a half million student dollars as are J.P.'s repeated thefts.

So I ask you to be fair and not place J.P., or the challenge of replacing him above the real question. Will we remove the president or affirm that a common crook and liar is the right person to head our organization?

Allison Grant